THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

W.P.Nos.10274, 10284 and 10400 of 2005

Dated 15th September, 2005.

W.P.No.10274 of 2005:

Between:

K.Muniratnamma W/o.K.Chiranjeevi aged 52 years,

Door.No.4/88-A (Old), 4/91 (New), 4/119-D, Singamala Street, Tirumala, Chittoor District.

Petitioner

And

The Government of A.P., rep: by its Principal Secretary, Revenue (Endt-III) Department, Secretariat, Hyderabad and others.

Respondents

W.P.No.10284 of 2005:

Between:

K.Sumathi, D/o.K.Venugopal, Hindu aged about 39 years, Door No.4/119, A, B, C Street, Tirumala Chittoor District.

Petitioner

And

The Government of A.P., rep: by its Principal Secretary, Revenue (Endt-III) Department, Secretariat, Hyderabad and others.

Respondents

W.P.No.10400 of 2005:

K.Venkatamuni, S/o.K.Chinnabba, aged 49 years, Door.No.4/87, 88, 89, Singamala Stree, Tirumala, Chittoor District.

Petitioner

And

The Government of A.P., rep: by its Principal Secretary, Revenue (Endt-III) Department, Secretariat, Hyderabad and others.

Respondents

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

W.P.Nos.10274, 10284 and 10400 of 2005

COMMON O R D E R:

In these three writ petitions, challenge is made to the Draft Declaration under Section 6 of the Land Acquisition Act dated
30-3-2005, published in "New Indian Express".

One Chinnabbai is the owner of house bearing Door No.4/86-A (Old), 4/91 (new), 4/119-D, situated in Singamala Street, Tirumala Chittoor District. Petitioner in W.P.No.10274 of 2005 is daughter, petitioner in W.P.No.10284 is daughter-in-law and petitioner in W.P.No.10400 is son of Chinnbba. All of them claim that they got respective shares in the house property owned by Chinnabba. They challenged the

notification issued under Section 6 of the Land Acquisition Act, dated 30-3-2005. The challenge is made under various grounds, which are not required to be deleted and it is suffice to say that their main contention is that they are entitled to allotment of shops, which are proposed to be constructed, on lease under G.O.Ms.No.856 dated
5-8-2003.

Heard the learned counsel for the petitioners and the learned Government Pleader for Land Acquisition appearing for the respondents.

The learned counsel for the petitioners submits that benefit under G.O.Ms.No.856, dated 5-8-2003 has been given to the persons who have given no objection under Section 5 A enquiry and the said benefit has not been extended to the petitioners since they raised objections during the course of enquiry under Section 5 A of the Land Acquisition Act. She further submits that now the petitioners are prepared to consent for acquisition subject to their case being considered for allotment of shops in pursuance of G.O.Ms.No.856, dated 5-8-2003.

Such is the situation, I deem it appropriate to dispose of all the writ petitions giving directions to the respondents to consider the cases of the petitioners with regard to allotment of shops on lease in lieu of compensation as contemplated in G.O.Ms.No.856, dated 5-8-2003.
No costs.

_____

15th September, 2005.

mrb